

2018 Current Fiscal Year Report: Industry Trade Advisory Committee on Standards and Technical Trade Barriers

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1. Department or Agency

Department of Commerce

2. Fiscal Year

2018

3. Committee or Subcommittee

Industry Trade Advisory Committee on Standards and Technical Trade Barriers

3b. GSA

Committee No.

21420

4. Is this New During Fiscal Year?

No

5. Current Charter

02/14/2018

6. Expected Renewal Date

02/14/2022

7. Expected Term Date

8a. Was Terminated During Fiscal Year?

No

8b. Specific Termination Authority

8c. Actual Term Date

9. Agency Recommendation for Next Fiscal Year

Continue

10a. Legislation Req to Terminate?

No

10b. Legislation Pending?

Not Applicable

11. Establishment Authority Statutory (Congress Created)

12. Specific Establishment Authority

P.L. 93-618

13. Effective Date

03/27/1975

14. Committee Type

Continuing

14c. Presidential?

No

15. Description of Committee Other Committee

16a. Total Number of Reports

2

16b. Report Date

Report Title

09/06/2018	Letter of Recommendation on China Section 301 Proposed and Modified Actions
09/27/2018	Statutory Advisory Report on the Trade Agreement with Mexico and Potentially Canada

Number of Committee Reports Listed: 2

17a. Open 0 17b. Closed 10 17c. Partially Closed 0 Other Activities 0 17d. Total 10 Meetings and Dates

Purpose

The Committee members met to receive briefings and provide advice on issues related to standards and technical barriers to trade (TBT), including: North American Free Trade Agreement (NAFTA) 2.0 negotiations.

Start

End

10/05/2017 - 10/05/2017

<p>The Committee members met to receive briefings and provide advice on issues related to standards and technical barriers to trade (TBT), including: World Trade Organization (WTO) TBT Committee meetings and the Thematic Sessions of the WTO TBT Committee; China TBT issues, including China's recent standardization law; ITA standards and TBT priority issues with emerging and developing economies; NAFTA 2.0 negotiations with Mexico and Canada, including TBT, Good Regulatory Practices (GRP), and Sectoral Annexes; European Union, including the Brexit issues; Asia-Pacific Economic Cooperation (APEC) Committee on Trade and Investment (CTI), including the Sub-Committee on Standards and Conformance (SCSC); discussions with Korea and Japan, including the special session of the Joint Committee of the United States-Korea Free Trade Agreement (KORUS FTA).</p>	10/26/2017 - 10/26/2017
<p>The Committee members met to receive briefings and provide advice on issues related to standards and technical barriers to trade (TBT), including: the recently developed NIST guidance on conformity assessment; WTO TBT Committee meetings and the Thematic Sessions; NAFTA 2.0 negotiations with Mexico and Canada, including issues in the TBT, GRP, and Sectoral Annexes; European Union, including the Brexit issues.</p>	02/06/2018 - 02/06/2018
<p>The Committee members met to receive briefings and provide advice on issues related to standards and technical barriers to trade (TBT), including: NAFTA 2.0 negotiations with Mexico and Canada, including issues in the TBT, GRP, and Sectoral Annexes; WTO TBT Committee meetings and issues in the Thematic Sessions.</p>	04/27/2018 - 04/27/2018
<p>The Committee members met via teleconference to deliberate on and begin drafting a response to USTR's request for formal written advice on the proposed actions under Section 301 of the U.S. Trade Act of 1974 to address China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation, considering any relevant standards and technical barriers to trade (TBT) aspects.</p>	07/11/2018 - 07/11/2018
<p>The Committee members met to be briefed and provide advice on issues related to standards and technical barriers to trade (TBT), including: TBT Committee meetings and the 8th Triennial Review of the WTO TBT Committee; bilateral standards and TBT trade issues; U.S.-UK Trade and Investment Working Group issues; U.S.-Ukraine Trade and Investment Cooperation Agreement issues; U.S.-Saudi Trade and Investment Framework Agreement (TIFA); activities in Africa through the Standards Alliance; APEC Committee on Trade and Investment, including the Sub-Committee on Standards and Conformance (SCSC); ASEAN Consultative Committee on Standards and Quality (ACCSQ); standards-related components of the Free and Open Indo-Pacific Strategy (FOIP); and on the U.S.-ASEAN TIFA.</p>	07/26/2018 - 07/26/2018
<p>The Committee members met to deliberate on and finalize a pre-decisional draft letter of recommendation China Section 301 proposed and modified actions. The draft letter was not finalized and another meeting was required.</p>	09/04/2018 - 09/04/2018
<p>The Committee members met to be briefed and provide advice on issues related to standards and technical barriers to trade (TBT), including: World Trade Organization (WTO) TBT Committee meetings, specific trade concerns to be presented at the committee meeting, and the 8th Triennial Review of the WTO TBT Committee; U.S - Peru Free Trade Agreement (FTA) TBT Committee Meeting; Middle East issues; U.S.-European Union (EU) trade issues, including the U.S.-EU Trade Dialogue; Asia-Pacific Economic Cooperation (APEC) Committee on Trade and Investment, including the Sub-Committee on Standards and Conformance, and the APEC Good Regulatory Practices (GRP) Conference under the Economic Committee; Latin America and the Caribbean, including issues related to the Dominican Republic-Central America Free Trade Agreement (CAFTA-DR), the Brazil Commercial Dialogue, and U.S. engagement with Argentina; North American Free Trade Agreement (NAFTA) 2.0 negotiations, including with Canada's Regulatory Cooperation Council (RCC); and the U.S.-India Commercial Dialogue. Also, the Committee members deliberated on a revised pre-decisional draft letter of recommendation on China Section 301 proposed and modified actions. The letter was finalized, adopted out of Committee, and sent forward to the Secretary of Commerce and the United States Trade Representative.</p>	09/06/2018 - 09/06/2018
<p>The Committee members met to deliberate on the pre-decisional draft Statutory Advisory Report on the Trade Agreement with Mexico and Potentially Canada. The Report was not finalized and another meeting was scheduled.</p>	09/21/2018 - 09/21/2018
<p>The Committee members met to deliberate on their revised pre-decisional draft Statutory Advisory Report on the Trade Agreement with Mexico and Potentially Canada. The Report was finalized, adopted out of Committee, and sent forward to the U.S.. Trade Representative with a copy to the Secretary of Commerce.</p>	09/25/2018 - 09/25/2018

Number of Committee Meetings Listed: 10

	Current FY	Next FY
18a(1). Personnel Pmts to Non-Federal Members	\$0.00	\$0.00
18a(2). Personnel Pmts to Federal Members	\$0.00	\$0.00
18a(3). Personnel Pmts to Federal Staff	\$68,535.00	\$69,000.00
18a(4). Personnel Pmts to Non-Member Consultants	\$0.00	\$0.00
18b(1). Travel and Per Diem to Non-Federal Members	\$0.00	\$0.00
18b(2). Travel and Per Diem to Federal Members	\$0.00	\$0.00
18b(3). Travel and Per Diem to Federal Staff	\$0.00	\$0.00
18b(4). Travel and Per Diem to Non-member Consultants	\$0.00	\$0.00
18c. Other(rents,user charges, graphics, printing, mail, etc.)	\$0.00	\$0.00
18d. Total	\$68,535.00	\$69,000.00
19. Federal Staff Support Years (FTE)	0.50	0.50

20a. How does the Committee accomplish its purpose?

The Committee shall perform such functions and duties and prepare such reports, as may be required by Section 135 of the Trade Act, with respect to the industry trade advisory committees. The Committee advises the Secretary and USTR on trade matters referred to in section 135(a)(1) of the Act, and is consulted regarding the matters referred to in section 135(a)(2) of the Act. The Committee provides detailed policy and technical advice, information, and recommendations to the Secretary and USTR regarding trade barriers, negotiation of trade agreements under section 2103 of the Bipartisan Trade Promotions Authority Act of 2002, and implementation of existing trade agreements affecting its sector.

20b. How does the Committee balance its membership?

Members shall be selected on a clear, standardized basis, in accordance with applicable Department of Commerce guidance, the principal criterion for selection being ability to carry out the objectives of this Committee as set forth in Section 3 of the Charter. Secondary selection criteria are ensuring that the Committee is balanced in terms of points of view, demographics, geography, and company size.

20c. How frequent and relevant are the Committee Meetings?

Estimated Number of Meetings is 4-6 per year.

20d. Why can't the advice or information this committee provides be obtained elsewhere?

This Committee is essential to carry out the Secretary and USTR's responsibilities under section 135(c)(2) of the 1974 Trade Act, as delegated by E.O. 11846 of March 27, 1975.

There is no other Committee that can perform the duties of this Committee.

20e. Why is it necessary to close and/or partially closed committee meetings?

The Industry Trade Advisory Committees were established by the Trade Act of 1974 and in accordance with the Federal Advisory Committee Act (FACA). Subsection 135(f) of the Trade Act provides that the ITACs shall be exempt from the provisions of the FACA relating to open meetings, public notice, public participation, and public availability of documents when it is determined that the proceedings would, if disclosed, seriously compromise the Government's negotiation objectives or bargaining positions regarding trade policy matters. ITAC meetings routinely involve these kinds of discussions. The United States Trade Representative evaluates each meeting agenda and issues a Notice of Determination when it is necessary to close meetings.

21. Remarks

Subcommittees, or their equivalents, are authorized to be formed under the terms of the Committees' charters, which were issued pursuant to Subsection 135 (f) of the Trade Act of 1974 (Public Law 93-618) as amended, and the Federal Advisory Committee Act (Public Law 92-463). Because subcommittees, or their equivalents, do not report out independently but through the parent Committee, the costs are included under the parent Committee.

Designated Federal Officer

Michael Boyles International Trade Specialist

Committee Members	Start	End	Occupation	Member Designation
Bengfort Keller, C. Devi	02/28/2018	02/14/2022	Semiconductor Industry Association	Representative Member
Bhatia, S. Joe	02/28/2018	02/14/2022	American National Standards Institute	Representative Member
Bipes, Steven	02/28/2018	02/14/2022	AdvaMed - Advanced Medical Technology Association	Representative Member
Burr, Alexa	02/28/2018	02/14/2022	American Chemistry Council	Representative Member
Busch, Ph.D., Marc	02/28/2018	05/29/2018	Consultant, representing Goruck, LLC	Representative Member
Grove, Jeffrey	02/28/2018	02/14/2022	ASTM International	Representative Member
Hijikata, Heidi	02/28/2018	02/14/2022	American Society of Mechanical Engineers	Representative Member
Jack, Ph.D., Maia	04/30/2015	02/14/2018	American Beverage Association	Representative Member
Levinas, Randi Beth	02/28/2018	02/14/2022	U.S.-Russia Business Council	Representative Member
Ling, David	02/28/2018	02/14/2022	Hewlett-Packard Company	Representative Member
Low, Angus	02/28/2018	02/14/2022	Rockwell Automation	Representative Member

Marquitz, Esq., Phyllis	07/17/2014 02/14/2018 Mars, Incorporated	Representative Member
Miller, David	02/28/2018 02/14/2022 American Petroleum Institute	Representative Member
Morris, Wayne	09/14/2018 02/14/2022 Consultant, Representing Illinois Tool Works	Representative Member
Mustico, Daniel	02/28/2018 02/14/2022 Outdoor Powoer Equipment Institute	Representative Member
Pilarz, Catherine	02/24/2015 02/14/2018 Mattel, Inc.	Representative Member
San Miguel, Melissa	05/23/2016 12/15/2017 Grocery Manufacturers Association	Representative Member
Unger, Peter	09/14/2018 02/22/2018 Consultant, Representing International Quality Excellence in Infrastructure Systems (IQEIS)	Representative Member
Violette, Michael	02/28/2018 02/14/2022 Washington Laboratories, Ltd.	Representative Member
Weeks, Ann	02/28/2018 02/14/2022 Underwriters Laboratories Inc.	Representative Member
Williams, Matthew	09/14/2018 02/14/2022 Association of Home Appliance Manufacturers	Representative Member
Winkel, Christopher	02/28/2018 02/14/2022 Caterpillar Inc.	Representative Member

Number of Committee Members Listed: 22

Narrative Description

The Committee advises the Secretary and the USTR concerning the trade matters referred to in section 135(a)(1) of the Act, and is consulted regarding the matters referred to in section 135(a)(2) of the Act. In particular, the Committee provides detailed policy and technical advice, information, and recommendations to the Secretary and the USTR regarding trade barriers, negotiation of trade agreements under section 2103 of the Bipartisan Trade Promotion Authority Act of 2002, and implementation of existing trade agreements affecting its sector; and performs such other advisory functions relevant to U.S. trade policy as may be requested by the Secretary and the USTR or their designees.

What are the most significant program outcomes associated with this committee?

Checked if Applies

Improvements to health or safety	<input type="checkbox"/>
Trust in government	<input checked="" type="checkbox"/>
Major policy changes	<input checked="" type="checkbox"/>
Advance in scientific research	<input type="checkbox"/>
Effective grant making	<input type="checkbox"/>
Improved service delivery	<input type="checkbox"/>
Increased customer satisfaction	<input type="checkbox"/>
Implementation of laws or regulatory requirements	<input type="checkbox"/>

Other



Outcome Comments

NA

What are the cost savings associated with this committee?

Checked if Applies

None



Unable to Determine



Under \$100,000



\$100,000 - \$500,000



\$500,001 - \$1,000,000



\$1,000,001 - \$5,000,000



\$5,000,001 - \$10,000,000



Over \$10,000,000



Cost Savings Other



Cost Savings Comments

N/A

What is the approximate Number of recommendations produced by this committee for the life of the committee?

8

Number of Recommendations Comments

On average 2-3 recommendations are made annually. The number of recommendations is for the 2014-2018 charter term.

What is the approximate Percentage of these recommendations that have been or will be Fully implemented by the agency?

0%

% of Recommendations Fully Implemented Comments

No measureable calculation. Committee members that give advice to U.S. trade negotiators, typically do not receive feedback from negotiators regarding how their advice has been applied or utilized within the various bi-lateral and multi-lateral trade negotiations.

What is the approximate Percentage of these recommendations that have been or

will be Partially implemented by the agency?

0%

% of Recommendations Partially Implemented Comments

No measureable calculation. Committee members that give advice to U.S. trade negotiators, typically do not receive feedback from negotiators regarding how their advice has been applied or utilized within the various bilateral and multilateral trade negotiations.

Does the agency provide the committee with feedback regarding actions taken to implement recommendations or advice offered?

Yes ☒ No ☐ Not Applicable ☐

Agency Feedback Comments

Most feedback is rendered orally during meetings; when written advice is sent to the Secretary of Commerce and the USTR, or their designees, it is reviewed by Secretary's policy staff and tasked to appropriate ITA unit to prepare draft response. Commerce internal procedures require that all responses for Secretarial signature (and/or joint signature with USTR) go through a concurrence process which ensures that the appropriate level Commerce officials are seeing the advice and have a chance for comment. All formal responses must be cleared by the Under Secretary of Commerce for International Trade prior to Secretary's signature, which ensures that ITAC advice is weighed and considered.

What other actions has the agency taken as a result of the committee's advice or recommendation?

Checked if Applies

Reorganized Priorities	<input checked="" type="checkbox"/>
Reallocated resources	<input checked="" type="checkbox"/>
Issued new regulation	<input checked="" type="checkbox"/>
Proposed legislation	<input type="checkbox"/>
Approved grants or other payments	<input type="checkbox"/>
Other	<input type="checkbox"/>

Action Comments

Issued changes to text of trade agreements.

Is the Committee engaged in the review of applications for grants?

No

Grant Review Comments

The Committee is not engaged in the review of applications for grants.

How is access provided to the information for the Committee's documentation?

Checked if Applies

Contact DFO	<input checked="" type="checkbox"/>
Online Agency Web Site	<input checked="" type="checkbox"/>
Online Committee Web Site	<input checked="" type="checkbox"/>
Online GSA FACA Web Site	<input checked="" type="checkbox"/>
Publications	<input type="checkbox"/>
Other	<input type="checkbox"/>

Access Comments

N/A